

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVID B. LINDER,
Plaintiff,

v.

JOHN E. POTTER, POSTMASTER
GENERAL, UNITED STATES POSTAL
SERVICE,

Defendant.

No. CV-05-0062-FVS

ORDER DENYING MOTION FOR
RECONSIDERATION

THIS MATTER comes before the Court on the Plaintiff's Motion For Reconsideration, Ct. Rec. 94. The Plaintiff is represented by Kenneth L. Isserlis. The Defendant is represented by Andrew S. Biviano and Frank A. Wilson. The Court has reviewed the materials presented on reconsideration and is not persuaded that its prior decision should be changed. Accordingly,

IT IS HEREBY ORDERED:

1. **Footnote 1** of the Court's Order Granting Summary Judgment, filed as **Ct. Rec. 93** on February 23, 2007, is **WITHDRAWN**.

2. The Plaintiff's Motion For Reconsideration, **Ct. Rec. 94**, is **DENIED**.

IT IS SO ORDERED. The District Court Executive is hereby directed to enter this order and furnish copies to counsel.

DATED this 24th day of May, 2007.

s/ Fred Van Sickle
Fred Van Sickle
United States District Judge